

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office SEP 18 1970Returned to applicant for correction NOV 20 1970Corrected application filed _____ Map filed SEP 18 1970 under 22677 (PBU)

The applicant James Russel Kellems c/o Hudson Oil Company, P.O. Box 3999;
NEW ADDRESS: Bldg. 2, Apt. 14, 1100 Country Line Road
of Kansas City _____, County of _____

State of Kansas _____, hereby makes application for permission to change the
_____ point of diversion

of water heretofore appropriated under Permit No. 22677

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground _____
(Name of stream, lake or other source.)
2. The amount of water to be changed 5.3 c.f.s. _____
(Second feet, acre feet.)
3. The water to be used for irrigation and domestic _____
(If for stock state number and kind of animals.)
4. The water heretofore used for irrigation and domestic _____
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23,
T.21N., R.39E., M.D.B.&M., or at a point from which the NW corner
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
of Section 2 T.21N., R.39 E., bears N. 08° 56' 39" W., 16,144.37
feet distant
6. The existing point of diversion is located within SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T. 21 N., R. 39 E.,
M.D.B.&M., or at a point from which the NW corner of Section 2, T.21N.,
(If point of diversion is not changed, do not answer.)
R.39 E., bears N.4° 04' 02" W., a distance of 18,523.63 feet.
7. Proposed place of use the W $\frac{1}{2}$ of Section 23, T. 21 N., R.39 E., M.D.B.&M.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
298.2 acres
8. Existing place of use W $\frac{1}{2}$ of Section 23, T.21N., R.39E., M.D.B.&M., 298.2
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
acres
9. Use will be from 1st January _____ to 31st December _____ of each year.
(Month) (Month)
10. Use has been from 1st January _____ to 31st December _____ of each year.
(Month) (Month)

11. Description of proposed works.

water is pumped directly into a 10" gated pipe.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$10,000.00

13. Estimated time required to construct works None

14. Remarks

Compared md/sb jw/sb

Applicant James Russel Kellems

By s/Wallace T. Boundy

Wallace T. Boundy 765 Aultman St.

Ely, Nevada 89301

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 22677 is issued subject to the terms and conditions imposed in said Permit 22677 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.3 cubic feet per second but not to exceed a

yearly duty of 4.0 acre feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before July 8, 1971

Proof of commencement of work shall be filed before August 8, 1971

Work must be prosecuted with reasonable diligence and be completed on or before July 8, 1971

Proof of completion of work shall be filed before August 8, 1971

Application of water to beneficial use shall be made on or before July 8, 1971

Proof of the application of water to beneficial use shall be filed on or before August 8, 1971

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed June 1, 1971

Completion of work filed June 1, 1971

Proof of beneficial use filed AUG 31 1971

Cultural map filed

Certificate No. 7737

Issued

2-23-72

Recorded 3-17-72

Bk. 40

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IN TESTIMONY WHEREOF, I Roland D. Westergard, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of April

A.D. 19 71

State Engineer